



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,768	11/09/2006	James Walter Lucas	A-10044	6930
7590 12/17/2008				
Martin P Hoffman Hoffman Wasson & Gitler 2461 South Clark Street Suite 522 Arlington, VA 22202			EXAMINER NGUYEN, CHI Q	
			ART UNIT 3635	PAPER NUMBER
			MAIL DATE 12/17/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/577,768

**Applicant(s)**

LUCAS ET AL.

**Examiner**

CHI Q. NGUYEN

**Art Unit**

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-18 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 26 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CDC)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Office action is in response to applicant's patent application 10/9/2006.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 5/17/2006 is being considered by the examiner.

#### ***Claim Objections***

Claims 2-8 and 10-16 are objected to because of the following informalities: the claimed preambles for claims 2-8 and 10-16 should read --The panel edge joint--. Appropriate correction is required.

Claims 1-8 are objected to because: in claim 1, lines 1-2 a citation "a first and second panel" should read --a first and second panels--. Correction is required. Claims 2-8 depending upon the objected claim 1 are also objected.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-8 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 6 and 14, the phrase "may be" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 7 recites the limitation "the outer contour" in line 2. There is insufficient antecedent basis for this limitation in the claim. Claim 8 depending upon the rejected claim 7 is also rejected.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 9-14 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. No. 4,034,532 to Reinwall, Jr.

Claims 1, 9, 17 and 18:

Reinwall, Jr. discloses in Fig. 8, a panel edge joint formed on opposing edges of a first 50a and second 52a panels for use in refrigeration units said panel edge joint comprising a male part 51a extending along at least one edge of the first panel 50a and a corresponding female part 53a extending along at least one edge of a second panel 52a wherein the male part comprises a deformable sleeve 14a forming an outer covering of said male part 51a whereby engagement of said male part with said female part forms a seal between the first panel and said second panel.

Claims 2, 10:

Wherein the first and second panels are a planar rectangular shape having two pairs of opposing edges and two opposed faces wherein the faces are formed from sheet metal (col. 4, line 26), said faces sandwich an insulating material 54a.

Claims 3, 11:

Wherein the female part 53a of the panel edge joint is formed as a fold extending along at least one edge of the sheet metal forming a cavity to receive the male part (Fig. 8).

Claims 4, 12:

Wherein the male part 51a of the panel edge joint is formed as a fold extending along at least one edge of the sheet metal (Fig. 8).

Claims 5, 13:

Wherein the deformable sleeve 14a is integrally formed at 24a with the male part 51a (Fig. 8).

Claims 6, 14:

Wherein the deformable sleeve 14a may be fitted over the outer contour of the male part 51a and within the inner contour of the female part 53a to provide a seal therebetween.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat. No. 4,034,532 to Reinwall, Jr. in view of US Pat. No. 4,184,301 to Anderson et al.

Claims 7-8 and 15-16:

Reinwall Jr. discloses the claimed invention as stated but does not disclose expressly wherein the deformable sleeve includes at least one bead lying adjacent to the outer contour of the male part to prevent the flow of fluid therethrough. Anderson et al. disclose in Figs. 4 and 6 a joint between two panels with a sleeve 26 or 36 in between two male and female extending parts, respectively; at least one bead 17 and 47 (Fig. 4) lying adjacent to the outer contour of the male part 16. In view of Anderson et al. it would have been obvious to one having an ordinary skill in the art at the time the invention was made to provide Reinwall Jr. at least one bead in order to seal a gap for preventing air leak.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you

Art Unit: 3635

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

/C. Q. N./

Examiner, Art Unit 3635

/Richard E. Chilcot, Jr./

Supervisory Patent Examiner, Art Unit 3635